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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TELESOCIAL INC.,

Plaintiff,

v.

ORANGE S.A., a French Corporation;
ANNE BENRIKHI, an individual;
DIMITRI DELMAS, an individual;
OLIVIER GODINIAUX, an individual;
GUILLAUME GUIMOND, an individual;
FABRICE PETESCH, an individual;
JACQUES VIEL, an individual;
BARBARA BOBILLIER, an individual;
BENOIT AMET, an individual;
THOMAS LESENECHAL, an individual;
FLORIAN DE SA, an individual;
ANTOINE LECOUTTEUX, an individual;
and SYLVAIN JAUDRY, an individual,

Defendants.

CASE NO. 3:14-CV-3985-JD

**STIPULATION AND REQUEST TO
VACATE SCHEDULING ORDER; AND**

[PROPOSED] ORDER

Pursuant to Rule 7-12 of the Northern District of California Civil Local Rules, Plaintiff Telesocial Inc. and Defendants Orange, S.A., Anne Benrikhi, Dmitri Delmas, Olivier Godiniaux, Guillaume Guimond, Fabrice Petesch, Jacques Viel, Barbara Bobillier, Benoit Amet, Thomas Lesenechal, Florian De Sa, and Antoine Lecoutteux (collectively “Defendants”), by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS on June 2, 2015, Defendants filed a Petition for Writ of Mandamus relating to this Court’s Order Denying Motion to Dismiss (Dkt. No. 85) (“the Petition”);

WHEREAS on June 8, 2015, at Defendants’ request, the Ninth Circuit entered a stay of discovery in this action pending review of the Petition;

WHEREAS on August 11, 2015, the Ninth Circuit issued notice setting oral argument on the Petition for October 19, 2015;

WHEREAS, pursuant to the December 10, 2014 Scheduling Order (Dkt. No. 35) and this Court’s Standing Order for Civil Trials, several case management deadlines have already elapsed and the parties’ pretrial filings are currently due in October 2015, before the parties can realistically expect a decision from the Ninth Circuit on the Petition; and

WHEREAS, in light of the foregoing, the parties agree it would be in the interest of judicial economy to postpone all outstanding pretrial and trial dates pending resolution of the Petition and the associated stay of discovery;

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NOW, THEREFORE, the parties jointly stipulate and request that the dates in the current Scheduling Order be taken off calendar pending further order of the Court. In the event the case is remanded to this Court by the Ninth Circuit, the parties shall submit a joint case management conference statement within fifteen (15) days of any order by the Ninth Circuit dissolving the stay of discovery.

Date: September 22, 2015

WARREN LEX LLP

/s/ Patrick M. Shields

Patrick M. Shields

Attorneys for Plaintiff Telesocial Inc.

Date: September 22, 2015

FOLEY HOAG LLP

/s/ Daniel Schimmel

Daniel Schimmel (*pro hac vice*)

Attorneys for Defendants

Date: September 22, 2015

DURIE TANGRI LLP

/s/ Michael H. Page

Michael H. Page

Attorneys for Defendant Orange, S.A.

ATTESTATION OF SIGNATURE

Pursuant to Civil Local Rule 5-1(i)(3), I attest that Michael H. Page and Daniel Schimmel, counsel for Defendants, have concurred in this filing and have authorized me to file this document including their signatures.

/s/ Patrick M. Shields

Patrick M. Shields

[PROPOSED] ORDER

PURSUANT TO STIPULATION, all deadlines triggered by the December 10, 2014 Scheduling Order (Dkt. No. 35) are hereby taken off calendar pending further order of this Court. In the event the case is remanded to this Court by the Ninth Circuit, the parties shall submit a joint case management conference statement within fifteen (15) days of any order by the Ninth Circuit dissolving the stay of discovery in this action.

IT IS SO ORDERED.

Dated: September 28, 2015

